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EXAMINER	
MANOHARAN, MUTHUSWAMY GANAPATHY	
ART UNIT	PAPER NUMBER
2617	
MAIL DATE	DELIVERY MODE
12/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/753,243	HALSELL, VICTORIA M.	
	Examiner	Art Unit	
	Muthuswamy G. Manoharan	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 5-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 5-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 10/4/2007 have been fully considered but they are not persuasive.

Examiner respectfully disagrees with applicant's assertion on Page 9 with the remarks, "Not only does Offer not disclose treating the fax as a data call, but Offer teaches away from fax being treated as data".

Offers wireless system is a digital communication system ("SMS message"). Offer teaches voice/fax message that means both voice data messages and fax data messages and voice/fax storage means both voice data messages and fax data messages are stored. Further these data are in binary form (digital data), even the voice signals are converted in to digitized packet data and transmitted in packets. Therefore, both the voice message and fax message reads on data call.

In view of above, it is apparent that Offer teaches incoming fax message being treated as data call. One can include any calls such as audio call, video call, image call, facsimile call, Graphics call, multimedia call etc they want. They all benefit from the invention of Offer.

Note: Ozaki also teaches Fax image data (abstract).

Examiner respectfully disagrees with applicant's assertion on page 9 with the remarks, "Claim 1 includes language clarifying that a user queue is a short messaging system message ... the short messaging system message in Offer is not a user queue

associated with the mobile device which is activated showing that incoming fax message is received".

Applicant recites in Paragraph [0031],"the user cue may include an audible cue, a visual cue and/or a vibratory cue". Applicant further recites in Paragraph [0026],"USER A get notification that fax was received".

However, the limitation, "activating a user cue to notify a user associated with the mobile device the incoming fax message was received, said user cue being a short message system message" is not explicitly mentioned in the applicant's disclosure. Therefore, it is fair to assume that it is applicant admitted (SMS notification is well known in the art) prior art.

Offer teaches (Col. 1, lines 30-33),"the second subscriber is automatically called for instance on a mobile phone number or a pager and informed about a voice/fax message which has been received". Also, Offer teaches SMS notification (Col. 2, lines 50-55). Therefore, it is apparent that Offer (within the scope of Offer's invention) could use SMS message to notify the subscriber about the fax message.

In view of the above reasons Offer in view Ozaki and Mousseau teaches the limitations of the claims 1, 11 and 16.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1,5, 7, and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Offer (US 6658094) in view over Ozaki et al. (hereinafter Ozaki) (US 5933478) and Mousseau et al. (hereinafter Mousseau) (US 2001/0005864).

Regarding **claim 1**, Offer teaches a method for a mobile device to receive and render an incoming fax message, the method including the steps:

a) receiving an incoming fax message from a calling party said incoming message being adapted to be stored on a wireless network in a fax message database ("fax storage server", Col. 1, lines 14-15), said incoming fax message is being treated as a data call and stored in said mobile device ("storing the message on one of a storage server and in a subscriber terminal of a subscriber being called", Col. 1, lines 53-57);

b) activating a user cue to notify a user associated with the mobile device the incoming fax message was received, said user cue is being a short messaging system message (Col. 1, lines 30-33; Col. 2, lines 50-53);

c) in response to user interaction with the mobile device, displaying information about the incoming fax message on a graphical user interface ("text message contains a time data record when the message was received", Col. 2, lines 45-47).

Offer did not teach specifically a method including a step d) in response to user interaction with the mobile device, communicating the incoming fax message to an external rendering device via an output port. However, Osaki teaches in an analogous art a method including a step d) in response to user interaction with the mobile device,

communicating the incoming fax message to an external rendering device via an output port (Col. 5, lines 24-27; lines 35-40). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use a method a method including a step d) in response to user interaction with the mobile device, communicating the incoming fax message to an external rendering device via an output port in order get a hard copy output.

The combinations of Offer and Osaki did not teach specifically infrared frequency interface. However, Mousaaeau teaches in an analogous art an infrared frequency interface ("**short-range communication link operate could be RF, microwave, cellular, optical, or infrared frequencies**", **"fax machines"**, Paragraph [0071]). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use an infrared frequency interface as a choice of communication link. This modification is one popular means for enabling the wireless transfer of digital data between personal information devices.

Regarding **claim 5**, Offer further teaches the method set forth in claim 1, further including the step: e) storing the incoming fax message in a storage device within the mobile device (Abstract).

Regarding **claim 7**, Osaki further teaches in an analogous art the step: e) displaying a listing of incoming fax messages for selection by the user (item 102 in Figure 2; Col. 9, lines 11-33; Figure 6).

Regarding **claim 8**, Osaka further teaches in an analogous art the step: e) connecting the external rendering device to the output port (Col. 7, lines 39-43); f)

rendering the incoming fax message on the external rendering device (Col. 7, lines 39-43).

Regarding **claim 9**, Osaka further teaches in an analogous art the method wherein the external rendering device includes at least one of a printing device, a fax reader, and a display device (item 20020 in Figure 40).

Regarding **claim 10**, Osaka further teaches in an analogous art the connecting in step e) is accomplished by moving the mobile device and the external rendering device within range of each other, which enables communication (Col. 7, lines 39-43).

Claims 16-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (hereinafter Ozaki) (US 5933478) in view of Offer (US 6658094) and Mousseau et al. (hereinafter Mousseau) (US 2001/0005864).

Regarding **claim 16**, Ozaki teaches a mobile device for receiving and rendering an incoming fax message via a wireless network and for sending an outgoing fax message via the wireless network, the mobile device including:

means for receiving an incoming fax message from a calling party via the wireless network (items 105 and 106 in Figure 2);

a controller in communication with the receiving means to control the mobile device (item 101 in Figure 2);

a user cue in communication with the controller to notify a user associated with the mobile device that the incoming fax message was received (Col. 5, lines 21-23);

a keypad in communication with the controller to acknowledge receipt of the incoming fax message (item 103 in Figure 2);

means for activating and de-activating the user cue in response to operation of the receiving means and keypad (items 802 and 803 in Figure 13; item 103 in Figure 2);

a graphical user interface in communication with the controller to display information about the incoming fax message (item 102 in figure 2; Figure 13);

and an output port in communication with the receiving means and controller for communicating the incoming fax message to an external rendering device via the output port (items 107 and 108 in Figure 2).

Osaki did not teach specifically a data base configured to store said incoming fax messages, said fax messages a re being treated as data call. However, Offer teaches in an analogous art wherein a data base configured to store said incoming fax messages, said fax messages a re being treated as data call (Abstract). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use data base configured to store said incoming fax messages, said fax messages a re being treated as data call in order to use the data at a convenient time later.

Neither Osaki nor Offer teaches specifically infrared frequency interface. However, Mousaaeau teaches in an analogous art an infrared frequency interface ("**short-range communication link operate could be RF, microwave, cellular, optical, or infrared frequencies**", "**fax machines**", Paragraph [0071]). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use an infrared frequency interface. This modification is clearly a design choice.

Regarding **claim 17**, Osaki further teaches the mobile device set forth in claim 16, further including: means for storing one or more fax contents in a first storage device associated with the mobile device (item 110 in Figure 1).

Regarding **claim 18**, Osaki further teaches the mobile device set forth in claim 16, further including: means for storing the incoming fax message in a storage device within the mobile device (item 104 in Figure 2).

Regarding **claim 20,** Osaki further teaches the mobile device set forth in claim 16, further including: an input port (item 106 in Figure 2) in communication with the storing means and the controller for uploading the one or more data files from an external device (item 101 in Figure 2); and means for uploading the one or more data files from the external device to the storing means via the input port (Col. 6, lines 60-62; Figure 25).

Claims 11 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (hereinafter Ozaki) (US 5933478) in view of Offer (US 6658094) and Wang et al. (hereinafter Wang) (US 6230024).

Regarding **claim 11**, Ozaki teaches a method for a mobile device to send an outgoing fax message, the method including the steps:

a) Storing one or more fax contents in a first storage device associated with the mobile device (item 110 in Figure 2);

b) in response to user interaction with the mobile device, generating an outgoing fax message that is treated as a data call ("**Fax image data**", is a digital data and therefore can read on data call, Abstract) including at least one selected fax content from the one or more fax contents stored in the first storage device and initiating an outgoing call via a wireless network associated with the mobile device to a recipient of the outgoing fax message (Col. 5, lines 35-40).

Osaki did not teach specifically a fax message database stored with in the mobile device. However, Offer teaches in an analogous art wherein a fax message database stored with in the mobile device (abstract). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use the method wherein a fax message database stored with in the mobile device in order to exploit the data processing capability of the mobile device.

Neither Osaki nor Offer teaches specifically a method for a mobile device to send an outgoing fax message, the method including the step

c) after the recipient answers the call, while maintaining the call, sending the outgoing fax message to the recipient.

However, Wang teaches in an analogous art, a method for a mobile device to send an outgoing fax message, the method including the step c) after the recipient

answers the call, sending the outgoing fax message to the recipient ("**without having to hang up**", Col. 1, lines 37-54; "**transmit or receive a digital fax without having to relinquish the line and without having to initiate a fax call with a new line**", Col. 3, lines 30-33). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use a method for a mobile device to send an outgoing fax message, the method including the step c) after the recipient answers the call, sending the outgoing fax message to the recipient. This modification of the method confirms that the recipient.

Regarding **claim 19**, Osaki further teaches means for storing one or more data files in a first storage device associated with the mobile device (item 104 in figure 2); means for generating an outgoing fax message including at least one selected data file from the one or more stored data files stored in the first storage device (Col. 5, lines 36-40) ; means for sending the outgoing fax message to the recipient ("Fax transceiver unit", item 12030 in Figure 32).

Neither Ozaki nor Offer teaches specifically means for initiating an outgoing call via the wireless network to a recipient of the outgoing fax message.

However, Wang teaches in an analogous art, means for initiating an outgoing call via the wireless network to a recipient of the outgoing fax message (Col. 1, lines 11-17). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention have the means for initiating an outgoing call via the wireless network to a recipient of the outgoing fax message. This modification of the method confirms that the recipient.

Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (hereinafter Ozaki) (US 5933478) in view of Offer (US 6658094) and Wang et al. (hereinafter Wang) (US 6230024) and further in view of Sinisi (US 2004/0128613).

Regarding **claim 12,** the combinations of Osaki, Offer, and Wang teaches all the particulars of the claim except d) connecting an external device to an input port on the mobile device; and e) uploading a data file from a second storage device associated with the external device to the first storage device associated with the mobile device.

However, Sinisi teaches in an analogous art, including the steps: d) connecting an external device to an input port on the mobile device; and e) uploading a data file from a second storage device associated with the external device to the first storage device associated with the mobile device (Paragraph [0045], lines 1-23). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use the method including the step d) connecting an external device to an input port on the mobile device; and e) uploading a data file from a second storage device associated with the external device to the first storage device associated with the mobile device. The motivation is to help in collecting and integrating multiple types of data.

Regarding **claim 13**, the combinations of Osaki,Offer, and Wang teaches all the particulars of the claim except wherein the external device includes a scanning device and the method further includes the step: f) scanning a document to be

included in the outgoing fax message to create the data file; and g) storing the data file in the second storage device.

Sinisi teaches in an analogous art, the method wherein the external device includes a scanning device and the method further includes the step:

f) scanning a document to be included in the outgoing fax message to create the data file; and g) storing the data file in the second storage device (Paragraph [0045], lines 1-23). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use the method wherein the external device includes a scanning device and the method further includes the step: f) scanning a document to be included in the outgoing fax message to create the data file; and g) storing the data file in the second storage device. This modification helps in collect and integrate multiple types of data.

Regarding **claim 14**, Osaki further teaches the method set forth in claim wherein the connecting in step e) is accomplished by moving the mobile device and the external rendering device within range of each other which enables communication (Col. 7, lines 39-43).

Claims 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (hereinafter Ozaki) (US 5933478) in view of Offer Wang et al. (hereinafter Wang) (US 6230024), Sinisi (US 2004/0128613) and Cavill et al. (hereinafter Cavill) (US 2005/0009560).

Regarding **claim 15,** the combinations of Oskai,Offer,Wang and Sinisi teaches all the particulars of the claim except the connecting in step d) is accomplished by

connecting a cable between the mobile device and the external device. However, Cavill teaches in an analogous art, including step d) is accomplished by connecting a cable between the mobile device and the external device (Figure 1). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to have the connecting in step d) is accomplished by connecting a cable between the mobile device and the external device in order to communicate between each other.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muthuswamy G. Manoharan whose telephone number is 571-272-5515. The examiner can normally be reached on 7:00AM-2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eng George can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GEORGE ENG
SUPERVISORY PATENT EXAMINER